

Message Text

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PAGE 01 STATE 108644
ORIGIN OES-07

INFO OCT-01 EA-10 ISO-00 EB-08 INR-10 /036 R

DRAFTED BY OES/OFA/FA:GCNELSON:CMC
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OES/OFA/FA - LLSNEAD
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-----090314 281507Z /53

P 281441Z APR 78
FM SECSTATE WASHDC
TO AMEMBASSY TAIPEI PRIORITY
INFO COMDT COGARD WASH DC
NATIONAL MARINE FISHERIES SERVICE WASHDC PRIORITY

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E.O. 11652:N/A

TAGS: EFIS, TW

SUBJECT: F/V GOLDEN DRAGON NO. 1/BVHY (TW)

REF: (A) CGC MORGENTHAU 260211ZAPR78 (B) CGC MORGENTHAU
260450ZAPR78 (C) CGC MORGENTHAU 260825ZAPR78 (D) CGC MOR-
GENTHAU 260929ZAPR78 (E) CGC MORGENTHAU 261415ZAPR78
(F) CGC MORGENTHAU 261835ZAPR78 (G) CGC MORGENTHAU
262245ZAPR78 (H) CCGD SEVENTEEN 261448ZAPR78 (I) CGC MOR-
GENTHAU 270830ZAPR78 (J) CCGD SEVENTEEN 271522ZAPR78

1. BACKGROUND: REFTELS DESCRIBE THE SITUATION IN DETAIL.
BREIFLY, THE GOLDEN DRAGON NO. 1 WAS OBSERVED FISHING
WITHIN THE US FISHERY CONSERVATION ZONE (FCZ) ON APR 25
AFTER HAVING CHECKED OUT OF THE US FCZ TO RETURN TO TAIWAN
ON APR 22. THE VESSEL WAS SUBSEQUENTLY BOARDED BY THE
CGC MORGENTHAU. DURING THE BOARDING, EVIDENCE OF RECENT
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FISHING AND INFORMATION THAT CONTRADICTED FACTUAL OBSERVA-
TIONS WAS FOUND. THE FORMER SUPPORTED THE EARLIER OBSER-
VATION OF FISHING AND THE LATTER SUGGESTED A MEASURE OF
DECEIT BY THE VESSEL. SPECIFICALLY, THE VESSEL WAS SIGHTED
FISHING, YET THE MASTER DENIED FISHING SINCE THE VESSEL
CHECKED OUT OF THE FISHERY ON APR 22. THE DISTANCE MADE
GOOD BY THE VESSEL BETWEEN THE ORIGINAL AIRCRAFT SIGHT-

ING AND THE SECOND AIRCRAFT SIGHTING INDICATED THAT THE VESSEL HAD TO MAKE A SPEED IN EXCESS OF THE MAXIMUM SPEED CLAIMED BY THE MASTER. THE MYSTERIOUS DISAPPEARANCE OF FISH EXTRACTED FROM A NET ON DECK AND THE DISCREPANCY IN MAINTENANCE OF THE ENGINE RECORDS, ALSO TEND TO SUPPORT A BELIEF THAT THE MASTER MAY HAVE BEEN LESS THAN CANDID IN THIS MATTER. AS THE CABLE TRAFFIC SHOWS, SEIZURE OF THIS VESSEL WAS CONTEMPLATED. WHILE THE VIOLATION IN AND OF ITSELF COULD BE CONSTRUED AS BEING TECHNICAL, THE IMPLICATIONS OF THIS TYPE OF VIOLATION ARE GRAVE. WHILE, IN THIS CASE, THE IMPACT ON FISHERY RESOURCES WAS APPARENTLY NEGLIGIBLE, IT COULD BECOME CONSIDERABLE IF FISHING CONTINUES UNDER THIS CIRCUMSTANCE. REALIZING THAT THE FCZ OFF ALASKA IS VAST AND ALASKAN PATROL RESOURCES ARE RELATIVELY LIMITED, STRICT ADHERENCE TO THE FOREIGN FISHING REGULATIONS INCLUDING THE CHECK-IN/CHECK-OUT PROCEDURES ARE EXTREMELY IMPORTANT IN FISHERIES MANAGEMENT. IF FISHING VESSELS DO NOT ABIDE BY THESE PROCEDURE, THIS TYPE OF VIOLATION CAN LEAD TO A MASSIVE BREAKDOWN OF THE FISHERIES MANAGEMENT SCHEME. WHEN FISHING VESSELS DO NOT CHECK INTO THE FISHERY, THEIR CATCH IS NOT REPORTED WHICH IN TURN MAY CAUSE OVER-EXPLOITATION OF THE RESOURCE. THE GOLDEN DRAGON NO. 1 WAS ISSUED CIVIL VIOLATIONS FOR FAILURE TO REPORT A CHANGE IN FISHING AREA, RETENTION OF PROHIBITED SPECIES AND FAILURE TO STOP AFTER BEING ORDERED TO DO SO. VESSEL LIMITED OFFICIAL USE

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IS NOW ENROUTE TAIWAN.

2. ACTION REQUESTED: DRAWING UPON INFORMATION IN THIS TELEGRAM AND REFTELS, MAKE PRESENTATION TO THE ROC WHICH EXPRESSES THE CONCERN OF THE USG IN THIS MATTER. ADVISE THE ROC THAT THE USG EXERCISED CONSIDERABLE RESTRAINT AND THAT FUTURE VIOLATIONS OF THIS NATURE WILL BE SUBJECT TO THE FULL RANGE OF ENFORCEMENT ACTIONS AUTHORIZED BY US LAW. THE USG INVITES ROC REACTION AND SPECIFICALLY WOULD LIKE TO BE ADVISED OF WHAT MEASURES COULD BE TAKEN BY THE ROC TO INSURE THAT THIS TYPE OF VIOLATION DOES NOT REOCCUR. VANCE

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Message Attributes

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